



DOCKET FILE COPY ORIGINAL

Anchorage School District
Audio/Visual and Related Services
5530 E. Northern Lights Blvd. #21
Anchorage, Alaska 99504

Phone 742-3772 ***** Fax 742-4779

Received & Inspected
MAY 22 2006
FCC Mail Room

May 12, 2006

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 2055
Fax: 202-418-0187

Re: CC Docket No. 96-45 and CC Docket No. 02-6

BEN: 145553, 471 Application Number 445730

A copy of this correspondence is being mailed on 5/15/06.

Duane Moran
Supervisor
Audio-Visual Services
Anchorage School District
Boniface Mall - 5530 East Northern Lights Blvd.
Anchorage, Alaska 99504
907-742-3770
Moran_Duane@asdk12.org

FAX COVER

S. J. Cooper rec'd
L21A BODE

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Anchorage School District
Audio/Visual and Related Services
5530 E. Northern Lights Blvd. #21
Anchorage, Alaska 99504

Phone 742-3772 ***** Fax 742-4779

March 10, 2006

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

This is a Letter of Appeal regarding FRN: 1296931 for the disallowance of McLaughlin Youth Center as an eligible entity by the Anchorage School District, BEN: 145553, 471 Application Number 445730 and reconsideration of the Administrator's Decision on Appeal dated January 13th, 2006.

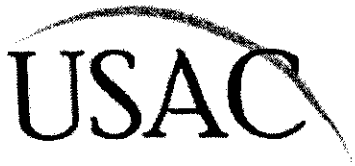
As stated in my correspondence of December 9, 2005, the Anchorage School District is under contract with the State of Alaska to provide education services to students at the McLaughlin Youth Center. Communication services at McLaughlin Secondary School, EIN 117179, that have been applied for under application 445730 are used exclusively by Anchorage School District staff and students. ASD has been informed that new information provided by the Alaska Department of Education has clarified the eligibility of JJ facilities as noted on <http://www.universalservice.org/sl/applicants/step01/non-traditional-K-12/k-12-eligibility-table.aspx>

Thank you for your assistance.

Sincerely,

Duane Moran
A-V Services Supervisor

Cc. Jeff Wood CIO



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

January 13, 2006

Duane Moran
Anchorage School District
5530 East Northern Lights Boulevard #21
Anchorage, AK 99504

Re: Applicant Name: ANCHORAGE SCHOOL DISTRICT
Billed Entity Number: 145553
Form 471 Application Number: 445730
Funding Request Number(s): 1296931
Your Correspondence Dated: December 09, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1296931
Decision on Appeal: **Denied**
Explanation:

- In your appeal letter, you state that the Anchorage School District is under contract with the State of Alaska to provide education services to students at the McLaughlin Youth Center. You attached copies of the FY06 Grant Award from the Alaska Department of Education and Early Development to Anchorage School District for the education of school aged youth at McLaughlin Youth Center and a copy of the Alaska state statute specifying continuing education of children who are held in detention facilities. You state that communications services at McLaughlin Secondary School, EIN 117179, that have been applied for under application 445730 are used exclusively by Anchorage School District staff and students. You reference a consultation with the State of Alaska E-Rate Coordinator, who is working with an assistant attorney general of Alaska in drafting a letter to USAC addressing the issue of schools within juvenile justice

facilities for all Alaska locations. You close by stating that the basic premise is that the juvenile justice facilities simply provide classrooms and the classrooms belong to the appropriate school district in that area.

- Upon review of the appeal letter and relevant supporting documentation, it was determined that McLaughlin Youth Center is a Juvenile Detention Center.
Juvenile Detention Center facilities are not eligible in the state of Alaska. During the PIA review, you were asked to verify whether the McLaughlin Secondary School, entity#117179, was a Pre-K, Adult Education or Juvenile Justice Facility. You responded and said that McLaughlin is a Juvenile Justice Facility that contains an Anchorage School District secondary school. You also referenced websites to see more information on the Juvenile Justice Facility. Therefore, SLD supports PIA's initial decision.
- Whether an individual school, school district, or consortia of schools or school districts are eligible for discounts depends on whether the entity meets the statutory definitions as outlined above. The information provided indicates that this entity does not satisfy the definition(s) explained above, therefore, SLD denies your appeal because the entity(ies) is(are) not eligible for support.
- Your Form 471 application included costs for the following ineligible entity to receive services: McLaughlin Juvenile Justice Center. FCC rules provide that "[o]nly schools meeting the statutory definitions of "elementary school," as defined in 20 U.S.C. 7801(18), or "secondary school," as defined in 20 U.S.C. 7801(38) . . . shall be eligible for discounts." 47 C.F.R. § 54.501(b)(1). The FCC has defined a "school" as including "individual schools, school districts, and consortia of schools and/or school districts." Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, 12 FCC Rcd 8776, FCC 97-157, ¶ 425, n.1087 (rel. May 8, 1997). 20 U.S.C. 7801(18) defines an elementary school as "a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law." 20 U.S.C. 7801(38) defines a secondary school as "a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that such term does not include any education beyond grade 12." 47 C.F.R. § 54.500(c), (k).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Duane Moran
Anchorage School District
5530 East Northern Lights Boulevard #21
Anchorage, AK 99504

Billed Entity Number: 145553
Form 471 Application Number: 445730
Form 486 Application Number:



Anchorage School District
Audio/Visual and Related Services
5530 E. Northern Lights Blvd. #21
Anchorage, Alaska 99504

Phone 742-3770***** Fax 742-4779

December 9, 2005

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

This is a Letter of Appeal regarding FRN: 1296931 and the disallowance of McLaughlin Youth Center as an eligible entity by the Anchorage School District, BEN: 145553, 471 Application Number 445730.

The Anchorage School District is under contract with the State of Alaska to provide education services to students at the McLaughlin Youth Center. Attached are copies of the FY06 Grant Award from the Alaska Department of Education & Early Development to Anchorage School District for the education of school aged youth at McLaughlin Youth Center and a copy of the Alaska state statute specifying continuing education of children who are held in detention facilities. Communication services at McLaughlin Secondary School, EIN 117179, that have been applied for under application 445730 are used exclusively by Anchorage School District staff and students.

In consultation with Della Mathis, State of Alaska E-Rate Coordinator, she is working with an assistant attorney general of Alaska who drafting a letter to USAC addressing the issue of schools within juvenile justice facilities for all Alaska locations. The basic premise is that the juvenile justice facilities simply provide classrooms and the classrooms belong to the appropriate school district in that area.

Thank you for your assistance.

Sincerely,

Duane Moran
A-V Services Supervisor

Cc. Jeff Wood CIO

Division of Teaching and Learning Support
801 West 10th Street, Suite 200
Juneau, AK 99801-1894

Grantee: Anchorage School District
Address: P.O. Box 196614
Anchorage, AK 99519-8614

Program:	Youth In Detention
Project No.	EY06.005.01
Amendment No.	INITIAL AWARD

Authorized Representative: Ms. Carol Comeau

Contact Person: Catherine Jones

Total Grant Amount:	\$388,558.00
Original Grant	\$ 388,558.00
Previous Amendments	
Changes this Amendment (+ or -)	

Grant award begins: **July 1, 2005**

Ends: **June 30, 2006**

Comments:

1. This grant provides state operating funds for the education (including extended year services and summer school) for all school aged youth at Alaska detention facilities as per AS 14.07.020(a)(5).
2. A lump sum disbursement will be made to the district based on the formula determined by the department.
3. This grant is subject to state annual reporting and auditing requirements.

<i>Suthu Ban</i>	7/28/05
Gretchen Barnes, Grants Administrator	Date
<i>Sondra Meredith</i>	7/28/05
Sondra Meredith, Program Manager	Date
<i>B. Thompson</i>	7/28/05
Barbara Thompson, TLS Director	Date
<i>K. Sampson</i>	7/29/2005
K. Sampson, Commissioner	Date

[illegible]



Sec. 14.07.020. Duties of the department.

(a) The department shall

- (1) exercise general supervision over the public schools of the state except the University of Alaska;
- (2) study the conditions and needs of the public schools of the state, adopt or recommend plans, administer and evaluate grants to improve school performance awarded under AS 14.03.125, and adopt regulations for the improvement of the public schools;
- (3) provide advisory and consultative services to all public school governing bodies and personnel;
- (4) prescribe by regulation minimum course of study for the public schools; the regulations must provide that, if a course in American Sign Language is given, the course shall be given credit as a course in foreign language;
- (5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;
- (6) accredit those public schools that meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;
- (7) prescribe by regulation, after consultation with the state fire marshal and the state sanitarian, standards that will assure healthful and safe conditions in the public and private schools of the state, including a requirement of physical examinations and immunizations in pre-elementary schools; the standards for private schools may not be more stringent than those for public schools;
- (8) exercise general supervision over pre-elementary schools that receive direct state or federal funding;
- (9) exercise general supervision over elementary and secondary correspondence study programs offered by municipal school districts or regional educational attendance areas; the department may also offer and make available to any Alaskan through a centralized office a correspondence study program;
- (10) accredit private schools that request accreditation and that meet accreditation standards prescribed by regulation by the department; nothing in this paragraph authorizes the department to require religious or other private schools to be licensed;
- (11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction or major maintenance project; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

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